

REMARKS

In this Amendment, claims 16 is amended, and claim 25 is canceled. Thus, after entry of this Amendment, claims 15-24, 26-27 and 29-30 are all the claims pending in the application.

Claim 16 has been amended to recite an embodiment of the invention where the carbon black product has a hydrogen content of less than 3% by mass. This amendment is supported by the specification at page 6, second full paragraph.

No new matter has been introduced.

Entry of this Amendment is respectfully requested.

I. Response to Rejection Under 35 USC §112, Second Paragraph

The Examiner rejects claims 15-27, 29 and 30 under 35 U.S.C. §112, first paragraph, as only enabling the production of carbon black.

The Examiner's attention is respectfully directed to the fact that the claims were amended on May 31, 2005 to refer specifically to "carbon black." Thus, it is believed that this rejection is an oversight, and its withdrawal is respectfully requested.

The Examiner's attention is also directed to the amendment to claim 16, to define the resulting carbon black product by its hydrogen content.

II. Response to Section 103 Rejection

(1) The Examiner rejects claim 25 under 35 U.S.C. §103(a) as being obvious over U.S. Patent 5,527,518 to Lynum. The Examiner contends that Lynum teaches making carbon black by heating hydrocarbons in a flame, and recycling the hydrogen to burn for heat. While the

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Examiner admits that Lynum does not teach the recited formula, the Examiner believes that the product of claim 15 is essentially the same as that of Lynum.

(2) The Examiner rejects claim 25 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Patent 3,619,140 to Morgan.

Specifically, the Examiner contends that Morgan teaches making a hot flame and burning oil at substoichiometric oxygen levels to make carbon black. The Examiner believes that the product of claim 15 is essentially the same as that of Morgan.

Product-by-process claim 25 is cancelled without disclaimer or prejudice. That is, Applicants reserve the right to pursue product-by-process claims in one or more continuing applications.

Since the rejection of claim 25 is rendered moot in view of the cancellation of the same, withdrawal of this rejection is requested.

The Examiner also states that, upon receipt of the executed 132 Declaration (an unexecuted copy of which was filed with the Amendment filed May 31, 2005), the rejections of process claims as set forth in the previous Office Action will be officially withdrawn.

The executed Declaration will be filed in due course to complete the record, and to officially overcome the rejections of the process claims.

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III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

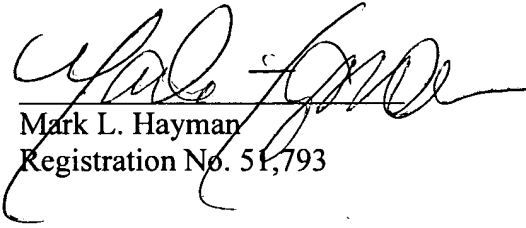
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